

S/N 10/669,170



PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

|             |                                       |                 |            |
|-------------|---------------------------------------|-----------------|------------|
| Applicant:  | Bruce H. KenKnight et al.             | Examiner:       | Unknown    |
| Serial No.: | 10/669,170                            | Group Art Unit: | 3737       |
| Filed:      | September 23, 2003                    | Docket:         | 279.565US1 |
| Title:      | DEMAND-BASED CARDIAC FUNCTION THERAPY |                 |            |

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**INFORMATION DISCLOSURE STATEMENT**

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

In compliance with the duty imposed by 37 C.F.R. § 1.56, and in accordance with 37 C.F.R. §§ 1.97 *et. seq.*, the enclosed materials are brought to the attention of the Examiner for consideration in connection with the above-identified patent application. Applicants respectfully request that this Information Disclosure Statement be entered and the documents listed on the attached Form 1449 be considered by the Examiner and made of record. Pursuant to the provisions of MPEP 609, Applicants request that a copy of the 1449 form, initialed as being considered by the Examiner, be returned to the Applicants with the next official communication.

Several of the attached documents were discovered as a result of a Search Report in Applicants' corresponding foreign patent application. Enclosed for the Examiner's information is a copy of the Search Report.

Pursuant to 37 C.F.R. §1.97(b), it is believed that no fee or statement is required with the Information Disclosure Statement. However, if an Office Action on the merits has been mailed, the Commissioner is hereby authorized to charge the required fees to Deposit Account No. 19-0743 in order to have this Information Disclosure Statement considered.

Pursuant to 37 C.F.R. 1.98(a)(2), Applicant believes that copies of cited U.S. Patents and Published Applications are no longer required to be provided to the Office. Notification of this change was provided in the United States Patent and Trademark Office OG Notices dated October 12, 2004. Thus, Applicant has not included copies of any US Patents or Published Applications cited with this submission. Should the Office require copies to be provided, Applicant respectfully requests that notice of such requirement be directed to Applicant's below-signed representative. Applicant acknowledges the requirement to submit copies of foreign patent documents and non-patent literature in accordance with 37 C.F.R. 1.98(a)(2).

The Examiner is invited to contact the Applicants' Representative at the below-listed telephone number if there are any questions regarding this communication.

Respectfully submitted,

BRUCE H. KENKNIGHT ET AL.

By their Representatives,

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Date April 15, 2005 By T. E. Bianchi  
Timothy E. Bianchi  
Reg. No. 39,610

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 15th day of April, 2005.

JAMES KAUYUSIK  
Name

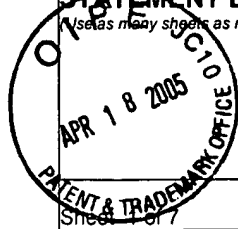
James Kauyusik  
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STATEMENT BY APPLICANT**

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**Application Number** 10/669,170**Filing Date** September 23, 2003**First Named Inventor** KenKnight, Bruce**Group Art Unit** 3737**Examiner Name** Unknown**Attorney Docket No:** 279.565US1**US PATENT DOCUMENTS**

| Examiner Initial * | USP Document Number | Publication Date | Name of Patentee or Applicant of cited Document | Filing Date If Appropriate |
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**First Named Inventor** KenKnight, Bruce

**Group Art Unit** 3737

**Examiner Name** Unknown

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**Examiner Name** Unknown

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**Group Art Unit** 3737

**Examiner Name** Unknown

Sheet 4 of 7

**Attorney Docket No:** 279.565US1

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**Group Art Unit** 3737

**Examiner Name** Unknown

Sheet 5 of 7

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|                             |                    |
|-----------------------------|--------------------|
| <b>Application Number</b>   | 10/669,170         |
| <b>Filing Date</b>          | September 23, 2003 |
| <b>First Named Inventor</b> | KenKnight, Bruce   |
| <b>Group Art Unit</b>       | 3737               |
| <b>Examiner Name</b>        | Unknown            |

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Attorney Docket No: 279.565US1

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| Examiner Initials* | Cite No <sup>1</sup> | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.   | T <sup>2</sup> |
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**EXAMINER**

**DATE CONSIDERED**



Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Complete if Known

**Application Number** 10/669,170**Filing Date** September 23, 2003**First Named Inventor** KenKnight, Bruce**Group Art Unit** 3737**Examiner Name** Unknown

Sheet 7 of 7

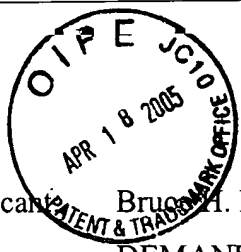
**Attorney Docket No:** 279.565US1**OTHER DOCUMENTS -- NON PATENT LITERATURE DOCUMENTS**

| Examiner<br>Initials* | Cite<br>No. <sup>1</sup> | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item<br>(book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s),<br>publisher, city and/or country where published.                        | T <sup>2</sup> |
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**EXAMINER****DATE CONSIDERED**

Substitute Disclosure Statement Form (PTO-1449)

\* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional) <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

*few*

Applicant: Bruce H. KenKnight et al.

Title: DEMAND-BASED CARDIAC FUNCTION THERAPY

Docket No.: 279.565US1

Serial No.: 10/669,170

Filed: September 23, 2003

Due Date: N/A

Examiner: Unknown

Group Art Unit: 3737

**MS Amendment**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

We are transmitting herewith the following attached items (as indicated with an "X"):

- ☒ A return postcard.
- ☒ A Communication Concerning Related Application (1 pg.).
- ☒ An Information Disclosure Statement (2 pgs.), Form 1449 (7 pgs.), and copies of 19 cited documents, including the International Search Report for corresponding PCT Application No. PCT/US2004/031062.

If not provided in a separate paper filed herewith, Please consider this a **PETITION FOR EXTENSION OF TIME** for sufficient number of months to enter these papers and please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.

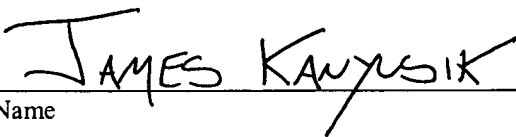
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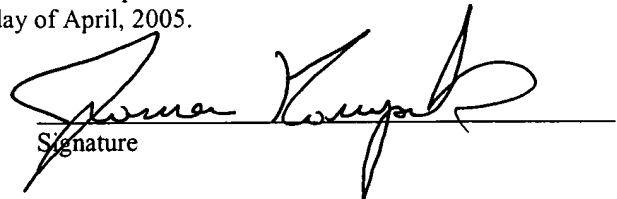
By: 

Atty: Timothy H. Bianchi

Reg. No. 39,610

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 15th day of April, 2005.

  
Name

  
Signature

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.

(GENERAL)

S/N 10/669,170

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Bruce H. KenKnight et al.

Examiner: Unknown

Serial No.: 10/669,170

Group Art Unit: 3737

Filed: September 23, 2003

Docket: 279.565US1

Title: DEMAND-BASED CARDIAC FUNCTION THERAPY

COMMUNICATION CONCERNING RELATED APPLICATIONS

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Applicants would like to bring to the Examiner's attention the following related applications in the above-identified patent application:

| <u>Serial/Patent No.</u>         | <u>Filing Date</u>    | <u>Attorney Docket</u> | <u>Title</u>   |
|----------------------------------|-----------------------|------------------------|--|
| 10/436,876                       | May 12,<br>2003       | 279.564US1             | STATISTICAL METHOD FOR<br>ASSESSING AUTONOMIC BALANCE                            |
| 10/669,168<br>2004/0133147<br>A1 | September<br>23, 2003 | 279.566US1             | METHOD FOR ISCHMIA DETECTION<br>BY IMPLANTABLE CARDIAC DEVICE                    |
| 10/695,430                       | October 28,<br>2003   | 279.656US1             | SYSTEM AND METHOD FOR<br>MONITORING AUTONOMIC<br>BALANCE AND PHYSICAL ACTIVITY   |
| 10/728,124<br>2004/0158295<br>A1 | December<br>4, 2003   | 279.682US1             | METHOD FOR EXCLUSION OF<br>ECTOPIC EVENTS FROM HEART<br>RATE VARIABILITY METRICS |

|            |                 |            |  |
|------------|-----------------|------------|--|
| 10/850,341 | May 20,<br>2004 | 279.756US1 | COMBINED REMODELING CONTROL<br>THERAPY AND ANTI-REMODELING<br>THERAPY BY IMPLANTABLE<br>CARDIAC DEVICE |
|------------|-----------------|------------|--|

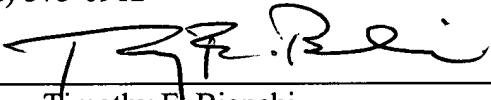
Continuations and divisionals may be later filed on the cases listed above, or cited to the Examiner in any previous Communication Concerning Related Applications. Applicant requests that the Examiner review all continuations and divisionals of the above-listed or previously-cited patent applications before allowing the claims of the present patent application.

Respectfully submitted,

BRUCE H. KENKNIGHT ET AL.

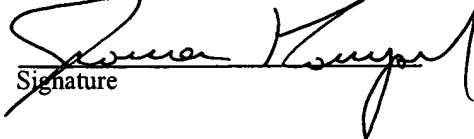
By Applicants' Representatives,

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Date April 15, 2005 By   
Timothy E. Bianchi  
Reg. No. 39,610

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JAMES KANYOSIK  
Name

  
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